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*Elaine C. Stracker*  
 Elaine C. Stracker



PATENT  
 Attorney's Docket No.: 00027.05CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Rabinowitz et al.  
 Serial No.: 10/813,721  
 Filed: 3/31/2004  
 Title: DELIVERY OF ANTIEMETICS THROUGH AN INHALATION ROUTE

Mail Stop Amendment  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with their continuing duty of disclosure under 37 CFR §§ 1.97, 1.98 and 1.56, Applicants hereby submit for consideration in the above identified application the enclosed references. The Information Disclosure statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.


For the convenience of the Examiner, the references are listed on a PTO Form 1449 (attached) and copies thereof are enclosed. Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

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Respectfully submitted,

SEP. 24 2004

Date: \_\_\_\_\_

  
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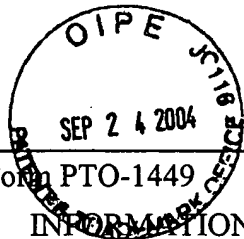
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10/813,721	
	Filing Date	3/31/2004	
	First Named Inventor	Joshua D. Rabinowitz	
	Art Unit	Not yet known	
	Examiner Name	To be assigned	
Total Number of Pages in This Submission		Attorney Docket Number	00027.05CON

ENCLOSURES (check all that apply)		
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Firm or Individual name	ALEXZA MDC, 1001 East Meadow Circle, Palo Alto, CA 94303 Elaine C. Stracker, Ph.D., J.D. Telephone (650)-687-3905	Customer Number 37485
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Date	SEP. 24 2004	

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Form PTO-1449 <b>INFORMATION DISCLOSURE CITATION IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number: 00027.05 CON	Application Number: 10/813,721
	Applicant: Joshua D. RABINOWITZ et al.	
	Filing Date: 3/31/2004	Group Art Unit: Not Yet Known

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	02/02/1971	3,560,607	Haillty			
	2.	05/27/1980	Re. 30,285	Babington			
	3.	01/23/1990	4,895,719	Radhakrishnun et al.			
	4.	09/17/1991	5,049,389	Radhakrishnun			
	5.	02/14/1995	5,388,574	Ingebretsen			
	6.	08/13/1996	5,544,646	Lloyd et al.			
	7.	12/09/1997	5,694,919	Rubsamen et al.			
	8.	04/07/1998	5,735,263	Rubsamen et al.			
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	11.	09/08/1998	5,804,212	Illum			
	12.	06/29/1999	5,915,378	Lloyd et al.			
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	26.	01/14/2003	6,506,762	Horvath et al.			

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Docket Number: 00027.05 CON

Application Number: 10/813,721

Applicant: Joshua D. RABINOWITZ et al.

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	27.	02/04/2003	6,514,482	Bartus et al.			
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	33.	08/22/2002	US 2002/0112723	Schuster et al.			
	34.	11/28/2002	US 2002/0176841	Barker et al.			
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	36.	02/13/2003	US2003/0032638	Kim et al.			

## RELATED ALEXZA MOLECULAR DELIVERY CORPORATION PATENT DOCUMENTS

	37.	08/04/2003	10/633,876	Hale et al.			
	38.	08/04/2003	10/633,877	Hale et al.			
	39.	12/30/2003	10/749,537	Rabinowitz et al.			
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	49.	01/29/2004	10/768,220	Rabinowitz et al.			
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	51.	01/29/2004	10/768,293	Rabinowitz et al.			
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	53.	01/30/2004	10/769,051	Rabinowitz et al.			
	54.	01/29/2004	10/769,157	Rabinowitz et al.			

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	55.	01/29/2004	10/769,197	Rabinowitz et al.			
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	58.	03/03/2004	10/791,915	Hale et al.			
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	61.	03/03/2004	10/792,013	Rabinowitz et al.			
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	64.	03/31/2004	10/813,722	Rabinowitz et al.			
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	83.	01/23/2003	US 2003/0015189	Rabinowitz et al.			
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Filing Date: 3/31/2004

Group Art Unit: Not Yet Known

## FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation	
							YES	NO
	115.	03/14/1990	EP 0 358 114	Europe				
	116.	07/03/2001	EP 1 080 720	Europe				
	117.	08/29/2001	EP 0 606 486	Europe				
	118.	06/13/1991	WO 91/07947	WIPO				
	119.	04/11/1996	WO 96/09846	WIPO				
	120.	05/09/1996	WO 96/13161	WIPO				
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	122.	05/09/1996	WO 96/13291	WIPO				
	123.	05/09/1996	WO 96/13292	WIPO				
	124.	10/03/1996	WO 96/30068	WIPO				
	125.	08/07/1997	WO 97/27804	WIPO				
	126.	05/28/1998	WO 98/22170	WIPO				
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	128.	08/27/1998	WO 98/36651	WIPO				
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	130.	12/16/1999	WO 99/64094	WIPO				
	131.	01/06/2000	WO 00/00176	WIPO				
	132.	01/06/2000	WO 00/00215	WIPO				
	133.	05/18/2000	WO 00/27363	WIPO				
	134.	05/18/2000	WO 00/27359	WIPO				
	135.	05/25/2000	WO 00/29053	WIPO				
	136.	09/17/2000	WO 00/47203	WIPO				
	137.	11/02/2000	WO 00/64940	WIPO				
	138.	11/09/2000	WO 00/66084	WIPO				
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	144.	03/28/2002	WO 02/24158	WIPO			

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(including author, title, Date, Pertinent Pages, Etc.)

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	146.	Carroll, M.E. et al. (1990), "Cocaine-base smoking in rhesus monkeys: reinforcing and physiological effects," <i>Psychopharmacology</i> (Berl). 102:443-450.
	147.	Clark, A. and Byron, P. (1986). "Dependence of Pulmonary Absorption Kinetics on Aerosol Particle Size," <i>Z. Erkrank.</i> 166:13-24.
	148.	Darquenne, C. et al. (1997). "Aerosol Dispersion in Human Lung: Comparison Between Numerical Simulations and Experiments for Bolus Tests," <i>American Physiological Society.</i> 966-974.
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	150.	Dershwitz, M., M.D., et al. (September 2000). "Pharmacokinetics and Pharmacodynamics of Inhaled versus Intravenous Morphine in Healthy Volunteers," <i>Anesthesiology.</i> 93(3): 619-628.
	151.	Finlay, W.H. (2001). "The Mechanics of Inhaled Pharmaceutical Aerosols", Academic Press: San Diego Formula 2.39. pp.3-14 (Table of Contents). pp. v-viii.
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	153.	Hatsukami D, et al. (May 1990) "A method for delivery of precise doses of smoked cocaine-base to humans." <i>Pharmacology Biochemistry &amp; Behavior.</i> 36(1):1-7.
	154.	Heyder, J. et al. (1986). "Deposition of Particles in the Human Respiratory Tract in the Size Range 0.005-15 $\mu\text{m}$ ," <i>J. Aerosol Sci.</i> 17(5):811-822.
	155.	Huizer, H., "Analytical studies on illicit heron. V. Efficacy of volatilization during heroin smoking." <i>Pharmaceutisch Weekblad Scientific Edition</i> (1987). 9(4):203-211.

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	156.	Hurt, R.D., MD and Robertson, C.R., PhD, (October 1998). "Prying Open the Door to the Tobacco Industry's Secrets About Nicotine: The Minnesota Tobacco Trial," <i>JAMA</i> 280(13):1173-1181.	
	157.	Lichtman, A.H. et al. (1996). "Inhalation Exposure to Volatilized Opioids Produces Antinociception in Mice," <i>Journal of Pharmacology and Experimental Therapeutics</i> . 279(1):69-76.	
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	161.	Meng, Y., et al. (1999). "Pharmacological effects of methamphetamine and other stimulants via inhalation exposure," <i>Drug and Alcohol Dependence</i> . 53:111-120.	
	162.	Office Action mailed 8/13/2003 for US application 10/153,313 filed 05/21/2002 "DELIVERY OF BENZODIAZEPINES THROUGH AN INHALATION ROUTE"	
	163.	Pankow, J.F. et al. (1997). "Conversion of Nicotine in Tobacco Smoke to Its Volatile and Available Free-Base Form Through the Action of Gaseous Ammonia," <i>Environ. Sci. Technol.</i> 31:2428-2433.	
	164.	Pankow, J. (March 2000). ACS Conference-San Francisco-3/26/00. Chemistry of Tobacco Smoke. pp. 1-8.	
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	167.	Vapotronics, Inc. (1998) located at <a href="http://www.vapotronics.com.au/banner.htm">http://www.vapotronics.com.au/banner.htm</a> , 11 pages, (visited on June 5, 2000).	
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	169.	Wood, R.W. et al. (1996). "Generation of Stable Test Atmospheres of Cocaine Base and Its Pyrolyzate, Methylecgonidine, and Demonstration of Their Biological Activity." <i>Pharmacology Biochemistry &amp; Behavior</i> . 55(2):237-248.	
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